

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

Badillo-Santiago,

Plaintiff,

v.

Andreu García, et al.

Defendants.

Civil No. 03-98 CV1993 (SEC)

Civil Action

MOTION REQUESTING ELIMINATION AS COUNSEL OF RECORD

TO THE HONORABLE COURT:

COMES NOW, the undersigned attorney and respectfully requests that his appearance as counsel of record for the Honorable Julio Berrios-Pérez be eliminated, and in support hereof respectfully states:

1. The undersigned was retained by the Department of Justice of Puerto Rico in 1999 to represent one of the defendants, the Honorable Julio Berrios-Pérez, in this matter.

2. The undersigned entered an appearance on behalf of said defendant and eventually filed a dispositive motion based on judicial immunity, which to the undersigned's best recollection was granted.

3. Sometime thereafter, on or about March 2001, the then Secretary of Justice terminated the undersigned's professional services agreement to represent this defendant.

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4. Shortly thereafter the undersigned delivered the complete file of this litigation to Salvador Antonetti Stutts, Esq., at that time the Director of the Federal Litigation Division at the P.R. Department of Justice, together with memoranda advising the status of this litigation, and of the other cases assigned to him. Within a few days thereafter other attorneys from the Justice Department entered appearances on behalf of defendants entitled to the protection under Law 9.

5. Notices withdrawing as counsel of record in all the Law 9 cases assigned to him were filed, however, perhaps due to inadvertence the motion apparently was never filed in this case.

6. The present motion, albeit belatedly, seeks to cure said omission.

WHEREFORE, the undersigned respectfully requests that his name, as counsel of record for the Honorable Julio Berrios-Pérez, be ordered eliminated, and the Clerk and parties ordered to discontinue serving further pleadings and notices on the undersigned.

Electronic Notification to counsel for all other parties.

RESPECTFULLY SUBMITTED.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on September 10th day of 2004, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: **Salvador J. Antonetti-Stutts, Esq., email: sabtibett@pmalaw.com, pmseda@pmlaw.com; docketclerk@pmalaw.com; Eda Mariel Ayala-Morales, Esq., email: mayala@lmnlaw.com, emayalam@hotmail.com; Alfredo Fernandez-Martinez, Esq., email: afernandez@dfrlaw.com, and Lilliam E. Mendoza-Toro, email: lmbecce@aol.com** and I hereby certify that I have mailed by United States Postal Service the document to the following non CM/ECF participants: Marc P. Charmatz, The National Association of the Deaf Law Center, 814 Thayer Ave. Suite 208, Silver Spring, MD 20910; Pedro E. Purcell-Ruiz, P.O. Box 192548, San Juan, Puerto Rico 00919-2548 and to Mary C. Vargas, The National Association of the Deaf Law Center, 814 Thayer Ave., Suite 208, Silver Spring, MD 20910.

In San Juan, Puerto Rico, this 13th day of September, 2004.

By: s/GUSTAVO A. GELPÍ
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